



**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
CALIFORNIA DIVISION
980 Ninth Street, Suite 400
Sacramento, CA. 95814-2724**

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Mr. Jeff Morales, Director
California Department of Transportation
1120 N Street
Sacramento, California 95814

Attention: Kris Balaji, Office of Federal Transportation Program Management, MS 82

Dear Mr. Morales:

SUBJECT: MTC 2003 FTIP/FSTIP Amendment 03-03

We have completed our review of Amendment 03-03 to the Metropolitan Transportation Commission's (MTC) 2003 Federal Transportation Improvement Program (FTIP). The amendment was submitted with your letter dated May 9, 2003. The MTC Board of Directors adopted Resolution No. 3500, revised on April 23, 2003, approving these program modifications. The amendment includes transit projects funded with Sections 5307, 5309, 5310 and 5311, Surface Transportation Program (STP), Congestion Mitigation and Air Quality and federal earmarks.

This letter constitutes joint FHWA/FTA approval of all except the following transit project into California's 2002/03-2004/05 FSTIP:

- TIP ID MTC030002, SF Water Transit Ferry Purchase. This project is not approved since we have insufficient information about the adequacy of funding to support long-term operations and maintenance. This project must meet the requirements of the federal transportation planning regulations (23 CFR Part 450), including consistency with the regional transportation plan. A conformity determination in accordance with 40 CFR Part 93 must be made. The conformity determination should include an evaluation of the ferry vessel as well as related shore-side facilities.

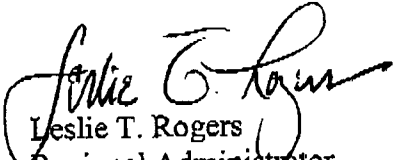
Other than the exception noted above, the changes made to the program by this amendment are projects that are either exempt from the conformity determination requirement (40 CFR 93.126-93.127) or that are included in both the current FTIP and in the regional emissions analysis for the Regional Transportation Plan (RTP) and FTIP. Therefore, we find that the changes to the program made by this amendment do not require a conformity determination. This finding has been coordinated with the United States Environmental Protection Agency, Region 9 office.


FHWA and FTA accept these program modifications in accordance with the federal statewide and metropolitan transportation planning regulations. FHWA and FTA find that MTC's FTIP Amendment 03-03 was developed through a continuing, cooperative and comprehensive transportation planning process in accordance with the provisions of 23 USC 134 and the Federal Transit Act (49 USC 53).

This programming approval is for those projects in the first three years (FY 03, 04 and 05) of the FTIP. FHWA and FTA accept those projects programmed in the fourth year and beyond for informational purposes only. Transit projects listed after September 30, 2004, are not eligible for pre-ward authority at this time.

If you would like to discuss this amendment approval please contact Ms. Mayela Sosa of FHWA at 916-498-5022 or Ms. Donna Turchie of FTA at (415) 744-2737.

Sincerely,


Leslie T. Rogers
Regional Administrator
Federal Transit Administration


For
Gary N. Hamby
Division Administrator
Federal Highway Administration